

Chapter DWD 123

BENEFIT REPORTS FILED BY EMPLOYERS

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Note: Chapter Ind–UC 123 was renumbered to be chapter ILHR 123 under s. 13.93 (2m) (b) 1. and 2., *Register*, August, 1987, No. 380. Chapter ILHR 123 was renumbered Chapter DWD 123 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., *Register*, June, 1997, No. 498.

DWD 123.001 Definitions. Unless the context clearly indicates a different meaning, the definitions in ch. **DWD 100** apply to this chapter.

History: Cr. *Register*, September, 1995, No. 477, eff. 10–1–95.

DWD 123.01 Purpose. Pursuant to ss. 108.04 (13), 108.09 (1), and 108.14 (2), Stats., in order to determine benefit claims, the department requires employers to provide information about claimants' employment separations, dates of work, wages and other payments, and other issues that may be disqualifying. This chapter specifies the benefit reports that must be filed by employers and the filing requirements for those reports.

History: 1–2–56; r. (4) (b), *Register*, August, 1957, No. 20, eff. 9–1–57; am. (1), (2), (3) (a), (4), (5) and (6), *Register*, September, 1968, No. 153, eff. 10–1–68; am. *Register*, January, 1975, No. 229, eff. 2–1–75; corrections made under s. 13.93 (2m) (b) 5., Stats., *Register*, October, 1994, No. 466; correction in (6) made under s. 13.93 (2m) (b) 7., Stats., *Register*, September, 2000, No. 537; **CR 07–038: r. and recr. Register October 2007 No. 622, eff. 11–1–07.**

DWD 123.02 Filing a benefit report. (1) IN GENERAL. The department shall consider a benefit report to be filed by an employer when it is completed and returned to the department as set forth in this chapter. Returning an incomplete report, even if it is received within the time limit, constitutes a failure to file the required report within the meaning of s. 108.04 (13) (c) or (f), Stats. Failure to file a required report as set forth in this chapter shall be considered an admission by the employer that no eligibility question exists regarding that claimant. Eligibility issues raised after the due date of a required report will be resolved in accordance with ss. 108.09 (2) (b) and 108.04 (13), Stats.

(2) TIME AND PLACE OF FILING. An employer shall file each benefit report requested by the department within the time limit and at the department location specified on the report.

History: **CR 07–038: cr. Register October 2007 No. 622, eff. 11–1–07.**

DWD 123.03 Types of benefit reports. (1) SEPARATION NOTICE. The department shall send the separation notice to an employer when a new benefit claim is initiated and the employer is identified as having employed the claimant in the base or lag period of the claim, or when a benefit claim is resumed and the employer is identified as having employed the claimant after the last claimed week. The employer shall complete and return the separation notice to the department if any of the following apply:

- (a) Any information on the notice is incorrect.
- (b) There is vacation, dismissal, or holiday pay assigned to any period beyond the claimant's last day of work.
- (c) There is an eligibility issue that applies to the claimant that is not already identified on the separation notice.
- (d) The claimant did not work for the employer.

(2) WAGE VERIFICATION/ELIGIBILITY REPORT. The department shall send the wage verification/eligibility report to an employer while a benefit claim is in progress to verify partial wages earned from the employer as reported by the claimant on weekly claim certifications and to verify the claimant's continuing eligibility for benefits. The employer shall complete and return the wage verification/eligibility report to the department if any of the following apply:

- (a) Information on the form report is missing or incorrect.
- (b) An eligibility issue applies to the claim.
- (c) The claimant did not work for the employer.

(3) URGENT REQUEST FOR WAGES. The department shall send the urgent request for wages to an employer when the claimant reports having been paid wages by the employer during the base period or an alternate base period, and the department has no record of such wages. The employer shall complete and return the urgent request for wages to the department.

History: 1–2–56; r. and recr. *Register*, September, 1968, No. 153, eff. 10–1–68; am. *Register*, January, 1975, No. 229, eff. 2–1–75; corrections made under s. 13.93 (2m) (b) 5., Stats., *Register*, October, 1994, No. 466; **CR 07–038: r. and recr. Register October 2007 No. 622, eff. 11–1–07.**